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Central Valley Regional Water Quality Control Board Files Lawsuit to Enforce Water Quality Standards against Bonzi Sanitation Landfill, Inc. of Modesto

SACRAMENTO – The Central Valley Regional Water Quality Control Board (Regional Water Board) recently filed a lawsuit in Stanislaus County Superior Court against the owners and operators of the Bonzi Sanitation Landfill in Modesto. The Regional Water Board's lawsuit alleges that the Bonzi Landfill has caused groundwater pollution by discharging chemicals at concentrations above the State's maximum contaminant levels for drinking water. The lawsuit also alleges that Bonzi failed to provide the Regional Water Board with mandatory monitoring reports about the extent of pollution it discharged and continues to discharge, and that Bonzi failed to provide financial assurances required by law for the proper and safe closure of the landfill.

The Regional Board's lawsuit asks the Court to issue a preliminary and permanent injunction against the Bonzi Landfill requiring it to submit the mandatory reports and comply with its financial assurance obligations. It also seeks stipulated penalties for Bonzi's violations of a 2005 judgment against it entered by the Stanislaus County Superior Court, as well as additional civil penalties for numerous violations that have occurred since the judgment was entered.

The 128-acre Bonzi Landfill began accepting municipal refuse, agricultural waste, industrial waste and construction debris in about 1967. It was built without a bottom liner or leachate collection and recovery system (a way to collect liquid that drains from a landfill), as required for modern landfills. Over the years, volatile organic compounds, including benzene and vinyl chloride, were discharged from the Bonzi Landfill, creating a contaminant plume that has expanded beyond the landfill to beneath adjacent properties. Some of the contaminants are present in groundwater at up to nine times the maximum contaminant level set by California's Department of Health Services. The chemicals escaping from the landfill are harmful to humans.

The underground flow of water from the landfill is predominantly towards the Riverdale Community residential subdivision, and beyond that to the Tuolumne River. The approximately 300 residents of Riverdale depend on well water for their drinking water. Recent sampling shows that the Riverdale drinking well is clean.

The Regional Water Board's decision to file this second lawsuit against the Bonzi Landfill arises out of Bonzi's continuing failure to comply with the Regional Water Board's administrative orders as well as the previous judgment. Regional Water Board Executive Officer Pamela Creedon stated: "The Bonzi Landfill has evaded its obligations to clean up groundwater polluted by discharges from its facility in Modesto for far too long. The Regional

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Water Board's decision to file a lawsuit against Bonzi will send a clear message to it and other dischargers that violating the Board's directives and orders has very serious consequences. We look forward to the Court's anticipated order compelling Bonzi to define and clean up the groundwater contamination it has caused. The Regional Water Board must ensure that the ongoing threat to groundwater in the Modesto area, including the serious threat to the Riverdale Community drinking water supply, is eliminated.”

The Central Valley Regional Water Quality Control Board is a California state agency responsible for preservation and enhancement of water quality.